

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

GOVERNMENT EMPLOYEES HEALTH ASSOCIATION, on behalf of itself and all other similarly situated,

Plaintiff,

v.

ACTELION PHARMACEUTICALS LTD.,
et al.,

Defendants.

Case No. 18-cv-3560-GLR

[REDACTED]

**DECLARATION OF SHARON K. ROBERTSON IN SUPPORT OF NON-PARTY
MAYOR AND CITY COUNCIL OF BALTIMORE'S OPPOSITION TO
DEFENDANTS' MOTION TO COMPEL
DOCUMENTS IN RESPONSE TO RULE 45 SUBPOENA**

I, Sharon K. Robertson, hereby declare as follows:

1. I am a member of the bars of New York and New Jersey. I am a Partner in the law firm of Cohen Milstein Sellers and Toll PLLC, attorneys for non-party Mayor and City Council of Baltimore. I submit this declaration in support of Non-Party Mayor and City Council of Baltimore's Opposition to Defendants' Motion to Compel Documents in Response to Rule 45 Subpoena. I have personal knowledge of the facts asserted herein and could testify to those facts if called to do so.

2. Attached as Exhibit 1 is a true and correct copy of email correspondence between Sharon K. Robertson and Damaris Hernandez dated December 15, 2021 to December 16, 2021.

3. Attached as Exhibit 2 is a true and correct copy of a letter from Erin C. Burns to Damaris Hernandez, dated January 4, 2022.

4. Attached as Exhibit 3 is a true and correct copy of Actelion's Subpoena to

Produce Documents, Information, or Objections to Mayor & City Council of Baltimore, dated April 19, 2022.

5. Attached as Exhibit 4 is a true and correct copy of the Tracleer Pharmacy Agreement with Walgreens, dated September 21, 2009, Bates stamped ACTLN00073067, and designated “Confidential, Subject to Protective Order.”

6. Attached as Exhibit 5 is a true and correct copy of data containing pricing information regarding Tracleer and generic Tracleer obtained via a subpoena to specialty pharmacy Kaiser Foundation Health Plans, Bates stamped KFHP-TRACLEER_0001, and designated “Confidential – Attorney’s Eyes Only.”

7. Attached as Exhibit 6 is a true and correct copy of a rebate agreement between RxSolutions, Inc. and Actelion Pharmaceuticals US, Inc., dated October 1, 2011, Bates stamped ACTLN01293399, and designated “Confidential, Subject to Protective Order.”

8. Attached as Exhibit 7 is a true and correct copy of Express Scripts’ 2016 National Preferred Formulary, dated July 31, 2015.

9. Attached as Exhibit 8 is a true and correct copy of OptumRx’s [REDACTED]
[REDACTED], Bates stamped ORX0005237, and designated “Confidential.”

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 17, 2022

/s/ Sharon K. Robertson
Sharon K. Robertson